



## Legislation Details (With Text)

**File #:** 20-0283R **Name:**  
**Type:** Resolution **Status:** Withdrawn  
**File created:** 3/16/2020 **In control:** Public Works and Utilities  
**On agenda:** 3/23/2020 **Final action:** 3/23/2020  
**Title:** RESOLUTION ACCEPTING A NON-EXCLUSIVE UTILITY EASEMENT FOR STORMWATER PURPOSES FROM MINNESOTA POWER, A DIVISION OF ALLETE, INC., ACROSS PROPERTY LOCATED IN DOWNTOWN DULUTH, AT NO COST TO THE CITY.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Exhibit 2\_LakePlazaStormwaterEasement.pdf

Date	Ver.	Action By	Action	Result
3/23/2020	1	City Council	withdrawn	

RESOLUTION ACCEPTING A NON-EXCLUSIVE UTILITY EASEMENT FOR STORMWATER PURPOSES FROM MINNESOTA POWER, A DIVISION OF ALLETE, INC., ACROSS PROPERTY LOCATED IN DOWNTOWN DULUTH, AT NO COST TO THE CITY.

### CITY PROPOSAL:

RESOLVED, that the proper city officials are hereby authorized to accept, substantially in the form attached as Exhibit 1, from Minnesota Power a division of Allete, Inc., a non-exclusive utility easement for stormwater purposes across the lands legally described on Exhibit A to the attached Exhibit 1 and depicted on Exhibit B to the attached Exhibit 2, at no cost to the City.

FURTHER RESOLVED, that the recordation of the easement, substantially in the form attached as Exhibit 1, with the St. Louis County Recorder and/or Registrar of Titles shall serve as evidence of completion of Minnesota Power's obligation regarding the dedication of a stormwater utility easement, which obligation was required under Section 2 of Ordinance No. 20-027.

**STATEMENT OF PURPOSE:** This resolution authorizes the acceptance of a non-exclusive utility easement for stormwater purposes from Minnesota Power, a division of Allete, Inc.

This resolution is one of several items related to a larger real estate transaction between the city and Minnesota Power, as more further described in Ordinance No. 20-027, in which Minnesota Power is required to dedicate this easement to the city, in favor of the public, after the city conveys a larger tract of land to Minnesota Power, which conveyance was contemplated in that certain Lake Avenue Plaza Development Agreement dated May 30, 1985 between the City, Minnesota Power, and the Lake Superior Plaza Company.

An aerial view of the easement area is outlined in gray on the attached Exhibit 2.